

PROB 12C
(7/93)

United States District Court

for

District of New Jersey

Petition for Warrant or Summons for Offender Under Supervision (Amended)

Cr.: 99-00285-009

Name of Offender: Jose Gonzalez

Name of Sentencing Judicial Officer: Joseph A. Greenaway

Date of Original Sentence: 5/28/03

Original Offense: 21 U.S.C. 846 Conspiracy to Distribute Heroin

Original Sentence: 57 months BOP followed by 3 years of supervised release. Special conditions: mandatory drug testing and treatment, if needed, full financial disclosure and no new credit.

Type of Supervision: Supervised Release

Date Supervision Commenced: 7/27/07

PETITIONING THE COURT

- ☒ To issue a warrant
☐ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1

The offender has violated the special condition of supervision which states "The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment, on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office."

Specifically, on September 4, 2007 and September 5, 2007, Mr. Gonzalez failed to report to Northeast Life Skills, as scheduled, to provide a urinalysis through Code-A-Phone. The offender reported to the Probation Department on September 13, 2007, as instructed. He admitted heroin use and signed a self-admission form. He was referred to detox and inpatient treatment at Discovery Institute. He began treatment on September 26, 2007 and completed the program on December 24, 2007. He was referred to an Intensive Outpatient Treatment program and began treatment at Straight and Narrow on January 2, 2008. The offender failed to attend his scheduled treatment sessions on January 3, 2008, January 4, 2008, January 14, 2008, January 15, 2008, and January 16, 2008, and was discharged from treatment on January 24, 2008.

A bench warrant was issued for the offender and he appeared for a violation hearing on July 14, 2008. He was referred to inpatient treatment which he completed but failed to follow up with outpatient treatment. Gonzalez appeared in Court on December 8, 2008 to be heard on the violation and was given yet another two weeks to comply with treatment recommendations. However, he was arrested on old state and child support warrants, thus, he did not attend treatment. He appeared in Court again on December 22, 2008 and sentencing was postponed to provide him with another opportunity. He failed to report to treatment and was consequently discharged on December 30, 2008 and did not appear on January 16, 2009 for the violation hearing.

2

The offender has violated the condition of supervision which states " **The defendant shall report to the probation officer as directed by the court or probation officer and shall submit a truthful and complete written report within the first five days of each month.**"

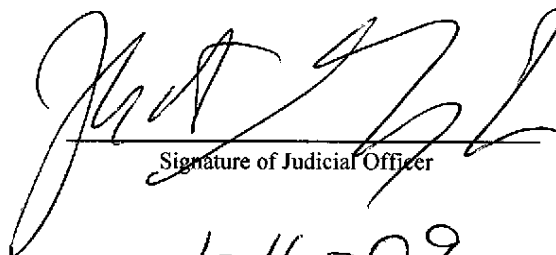
Specifically, the offender failed to report to the office on February 19, 2008, March 7, 2008, December 9, 2008, and January 9, 2009.

I declare under penalty of perjury that the foregoing is true and correct.

By: Erika M. Arnone
U.S. Probation Officer
Date: 1/16/09

THE COURT ORDERS:

- ☐ The Issuance of a Summons. Date of Hearing: .
- ☒ The Issuance of a Warrant
- ☐ No Action
- ☐ Other



Signature of Judicial Officer

1-16-09

Date